

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

HINO1660

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/JP2005/000133

International filing date (day/month/year)

07.01.2005

Priority date (day/month/year)

09.01.2004

International Patent Classification (IPC) or both national classification and IPC

Applicant

Hino Motors, Ltd.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Authorized officer

Facsimile No.

Telephone No.

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Box No. I	Basis of this opinion
1.	<p>With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).</p>
2.	<p>With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:</p> <p>a. type of material</p> <p><input type="checkbox"/> a sequence listing</p> <p><input type="checkbox"/> table(s) related to the sequence listing</p> <p>b. format of material</p> <p><input type="checkbox"/> in written format</p> <p><input type="checkbox"/> in computer readable form</p> <p>c. time of filing/furnishing</p> <p><input type="checkbox"/> contained in the international application as filed.</p> <p><input type="checkbox"/> filed together with the international application in computer readable form.</p> <p><input type="checkbox"/> furnished subsequently to this Authority for the purposes of search.</p>
3.	<p><input type="checkbox"/> In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.</p>
4.	<p>Additional comments:</p>

**WRITTEN OPINION OF THE
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PCT/JP2005/000133

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>2, 5, 7-8</u>	YES
	Claims	<u>1, 3, 4, 6</u>	NO
Inventive step (IS)	Claims	<u>2</u>	YES
	Claims	<u>1, 3-8</u>	NO
Industrial applicability (IA)	Claims	<u>1-8</u>	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 2803364 B (Denso Corporation), 17 July 1998

Document 2: JP 2003-108614 A (Mazda Motor Corporation)

11 April 2003

Document 3: JP 2002-304438 A (Denso Corporation)

18 October 2002

Claims 1 and 3

The inventions of claims 1 and 3 do not appear to be novel based on document 1 cited in the ISR. Document 1 (e.g. claim 1) has a similar description to claim 1. Also, a feedback relating to claim 3 is described in document 1 (column 6, line 30 to column 7, line 8).

Claims 4 and 6

The invention of claim 4 does not appear to be novel based on document 1. Document 1 (e.g. claim 1) has a description that includes a subject matter of claim 4. Also, a feedback relating to claim 6 is described in document 1 (column 6, line 30 to column 7, line 8).

Claim 5

The invention of claim 5 does not appear to involve an inventive step based on document 1, and document 2 cited in the ISR. Applying an idea of recursive repetition described in document 2 (paragraph 0041) to document 1 would be easy for a party skilled in the art.

Claim 7

The invention of claim 7 does not appear to involve an inventive step based on document 1, and document 3 cited in the ISR. To document 1, applying the description of installing a program into a computer of document 3 would be easy for a party skilled in the art.

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

Claim 8

The invention of claim 8 does not appear to involve an inventive step based on documents 1 and 3. Configuring a program so as to serve as an information readable recording medium is described in document 3.

Claim 2

Means described in claim 2 for operating a control value for causing a simulation result to be displayed on operator display means so as to correct a control value in accordance with an operator operation is not described in any of the documents cited in the ISR; nor would it be obvious to a party skilled in the art.